

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA,	:	
	:	
v.	:	
	:	CRIMINAL ACTION NO.
DANIEL ALLEN DAYS,	:	1:16-cr-0142-AT-1
	:	

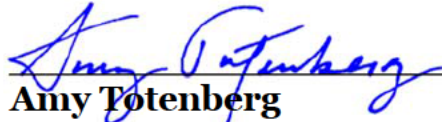
ORDER

Presently before the Court is the Magistrate Judge's Report and Recommendation ("R&R") that this Court deny Defendant Daniel Allen Day's motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 [Doc. 37]. A district judge has broad discretion to accept, reject, or modify a magistrate judge's proposed findings and recommendations. *United States v. Raddatz*, 447 U.S. 667, 680 (1980). The Court notes that no objections have been filed in response to the Magistrate Judge's Report and Recommendation. Therefore, in accordance with 28 U.S.C. § 636(b)(1) and Rule 59 of the Federal Rules of Criminal Procedure, the Court has reviewed the Magistrate Judge's Recommendation for clear error and finds none.

Accordingly, the Court receives the Magistrate Judge's Report and Recommendation with approval and hereby **ADOPTS** the Report and

Recommendation as the opinion of this Court [Doc. 46]. For the reasons stated in the Magistrate Judge's Report and Recommendation, the Court **DENIES** Defendant's motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 [Doc. 37]. Defendant is denied a certificate of appealability.

IT IS SO ORDERED this 1st day of July, 2019.



Amy Totenberg
United States District Judge